

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 110<sup>th</sup> Congress<sup>1</sup>**

[Date approved: May 16, 2008]<sup>2</sup>

**Bill No. and sponsor:** H.R. 4633 (Mr. Sam Graves of Missouri).

**Proponent name,<sup>3</sup> location:** Bayer CropScience, Research Triangle Park, NC.

**Other bills on product (110<sup>th</sup> Congress only):** None.

**Nature of bill:** Temporary duty suspension through December 31, 2011.

**Retroactive effect:** None.

**Suggested article description(s) for enactment (including appropriate HTS subheading(s)):**

1,3-Dimethyl-1H-pyrazol-5-ol (CAS No. 5203-77-0); or 1,3-dimethylpyrazol-5-one (CAS No. 2749-59-9) (provided for in subheading 2933.19.90).

**Check one:**     \_\_\_ Same as that in bill as introduced.  
                  X Different from that in bill as introduced (see Technical comments section).

**Product information, including uses/applications and source(s) of imports:**

The subject products are both synthetic organic chemicals that are used as raw materials in the production of a herbicide that controls broadleaf weeds on barley and wheat. Both chemicals are imported from Japan.

**Estimated effect on customs revenue:**

<b>HTS subheading: 2933.19.90</b>					
	2009	2010	2011	2012	2013
<del>Col. 1-General rate of duty</del>	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$1,500,000	\$1,500,000	\$1,500,000	\$1,500,000	\$1,500,000
Customs revenue loss	\$97,500	\$97,500	\$97,500	\$97,500	\$97,500

Source of estimated dutiable import data: U.S. industry estimates.

**Contacts with domestic firms/organizations (including the proponent):**

<sup>1</sup> Industry analyst preparing report: Philip Stone (202-205-3424); Tariff Affairs contact: David Michels (202-205-3440).

<sup>2</sup> Access to an electronic copy of this memorandum is available at [http://www.usitc.gov/tata/hts/other/rel\\_doc/bill\\_reports/](http://www.usitc.gov/tata/hts/other/rel_doc/bill_reports/).

<sup>3</sup> The sponsor/proponent did not identify any additional beneficiaries of this bill.

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
Bayer CropScience (Proponent) Jean Riemer, Fax: 202-737-8909	03/25/2008	No	No	No
Arkema Inc. (Atofina) Charles Kitchen, Fax: 215-419-7075	03/25/2008	No	No	No
BASF Greg Thies, Fax: 202-558-5101	03/25/2008	No	No	No
Chemtura Corporation Matt Mattingley, Fax: 202-463-8498	03/25/2008	No	No	No
CropLife America Isi Siddiqui, Fax: 202-463-0474	03/25/2008	No	No	No
Dow Chemical/Dow AgroScience Max Turnipseed, Fax: 225-383-0590 Lisa Schroeter, Fax: 202-429-3467	03/25/2008	No	No	No
DuPont Helen McMahon, Fax: 302-355-2994	03/25/2008	No	No	No
Emerald Performance Chemicals Tom Dirmyer, Fax: 330-315-6480	03/25/2008	No	No	No
FMC Corp. Jerry Prout, Fax: 202-956-5235	03/25/2008	No	No	No
Gowan Company George L. Rolofson, Fax: 336-854-2772 Cindy Baker, Fax: 928-373-1822	03/25/2008	No	No	No
Monsanto Corp. Michael Parrish, Fax: 202-789-1867 Grant Erdel, Fax: 202-789-1867	03/25/2008	No	No	No
Nufarm Limited Joel R. Junker, Fax: 206-621-8220	03/25/2008	No	No	No
Syngenta Angus Kelly, Fax: 336-632-6084 Mike Blythe, Fax: 336-632-6084	03/25/2008	No	No	No
Valent USA Robin Demouth, Fax: 925-256-2776	03/25/2008	No	No	No

**Technical comments:**<sup>4</sup>

The Commission staff suggests that the article description on page 1 of this report be used in the proposed new heading in order to (1) provide the correct capitalization, (2) provide a clearer presentation of the chemical names and associated CAS numbers, and (3) to make clear that the chemicals may be imported separately and nonetheless qualify for the temporary duty suspension.

---

<sup>4</sup> The Commission may express an opinion on the HTS classification of a product to facilitate consideration of the bill. However, by law, only the U.S. Customs Service is authorized to issue a binding ruling on this matter. The Commission believes that the U.S. Customs Service should be consulted prior to enactment of the bill.

110TH CONGRESS  
1ST SESSION

# H. R. 4633

To suspend temporarily the duty on 1,3-Dimethyl-1H-pyrazol-5-ol and 1,3-Dimethylpyrazol-5-one.

---

## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 13, 2007

Mr. GRAVES introduced the following bill; which was referred to the Committee on Ways and Means

---

## A BILL

To suspend temporarily the duty on 1,3-Dimethyl-1H-pyrazol-5-ol and 1,3-Dimethylpyrazol-5-one.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. 1,3-DIMETHYL-1H-PYRAZOL-5-OL AND 1,3-**  
4 **DIMETHYLPYRAZOL-5-ONE.**

5 (a) IN GENERAL.—Subchapter II of chapter 99 of  
6 the Harmonized Tariff Schedule of the United States is  
7 amended by inserting in numerical sequence the following  
8 new heading:

“ 9902.____	1,3-Dimethyl-1H-pyrazol-5-ol and 1,3-Dimethylpyrazol-5-one (CAS No.5203-77-0 and 2749-59-9) (provided for in subheading 2933.19.90) .....	Free	No change	No change	On or before 12/31/2011	”.
-------------	---	------	-----------	-----------	-------------------------	----

1           (b) **EFFECTIVE DATE.**—The amendment made by  
2 subsection (a) applies to articles entered, or withdrawn  
3 from warehouse for consumption, on or after the 15th day  
4 after the date of the enactment of this Act.

○